

Brothers sentenced to 10 years for killing puppy

Two brothers who pleaded guilty to baking a puppy to death in a gas oven were each sentenced to 10 years in prison this February.

Justin Moulder, 19, and Joshua Moulder, 17, both of Atlanta, pleaded guilty in January to a 10-count indictment on charges of aggravated cruelty to animals, burglary, criminal damage to property, making terrorist threats, and cruelty to children.

The first trial, in December 2006, ended in a mistrial. The second trial was to begin in January, but the brothers pleaded guilty in hopes of getting sentences lighter than prosecutors were asking.

On Feb. 9, Fulton County, Georgia, Superior Court Judge Thelma Wyatt Cummings Moore sentenced the brothers to the maximum penalty on several counts, however, handing down 10-year prison sentences, plus 10 years of probation. The felony animal cruelty charges carried a maximum penalty of five years in prison; the remainder of the sentences was a result of convictions from other charges.

"The way we treat animals, the way we treat the least of these, is a reflection of society," Moore said.

District Attorney Paul L. Howard Jr. said the conviction indicates the seriousness of the offenses. "The data are clear that youth who begin with these crimes escalate toward more serious criminal behavior as adults," Howard said.

According to prosecutors, on Aug. 21, 2006, a police officer dispatched to the Englewood Manor Apartments found the community center had been broken into; computers were damaged, glass broken, and paint scattered on walls and floors. A dead puppy was discovered in a gas oven that was on.

Investigators found scratch marks inside the oven, indicating the puppy had been alive when placed inside. A necropsy on the 3-month-old dog showed her paws and snout had been duct taped, and she had been doused with paint before being placed in the oven.

The cruelty to children and terrorist threat charges stemmed from reports by neighborhood children that the Moulder brothers brought them to the community center to see the dead puppy, then threatened to kill them if they told anyone what they had seen and who had done it, according to prosecutors.

At the trial, Dr. Melinda Merck, a forensic veterinarian, testified the dog had literally been cooked to death.

Animal protection groups welcomed the strong sentence. "This is a significant moment in the history of animal cruelty prosecution," said Ed Sayres, president and CEO of the American Society for the Prevention of Cruelty to Animals.

"It not only highlights the increasingly important role veterinary forensics and animal welfare experts have come to play in assisting law enforcement with their investigations, but also shows how strongly the American public feels about the inhumane treatment of animals."

At press time in late February, attorneys for the brothers were working on motions to reduce the jail sentences. ❧